

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Matthew David Swosinski,

4:21-mj-30419

Judge: Ivy, Curtis

Filed: 08-31-2021

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 30, 2020 in the county of Genesee in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

That on November 30, 2020, in the Eastern District of Michigan, Matthew David Swosinski, knowing that he had been convicted of a felony offense punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm in violation of 18 U.S.C. § 922(g)(1).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: August 31, 2021

City and state: Flint, MI

  
Complainant's signature

Candace Booth, Special Agent, ATF

Printed name and title



Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Candace A. Booth being first duly sworn, hereby depose and state as follows:

***Introduction***

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), currently assigned to the Flint, Michigan, Field Office. I have been an ATF Special Agent since 2009. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. Before working for the ATF, I was a US Border Patrol Agent. I have participated in numerous state and federal investigations including narcotics trafficking, illegal firearms possession, firearms trafficking, shooting investigations, as well as other types of criminal investigations. Because of my involvement in these and other investigations, I have sworn to several federal search and arrest warrants.

2. This affidavit is in support of a complaint and arrest warrant for Matthew David Swosinski, (DOB xx/xx/1977). Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each fact known to me concerning this investigation.

3. ATF is currently conducting a criminal investigation concerning Matthew David Swosinski, for violations of 18 U.S.C. § 922 (g)(1) —felon in possession of a firearm.

4. The facts in this affidavit are based on my personal knowledge and observations, my review of law enforcement reports, communications with others who have personal knowledge of the events and circumstances described in this affidavit, and information gained through my training and experience.

*Probable Cause*

5. On November 30, 2020, Flint Police Department (FPD) Officers and Michigan Department of Corrections (MDOC) executed a parole check at 3841 Palmer Avenue, Flint, Michigan. FPD Officers received information that the parolee living at that address was selling narcotics and was in possession of firearms, both of which are contrary to their parole conditions.

6. Upon arrival at 3841 Palmer Avenue, Flint, Michigan, Officers in unmarked vehicles pulled up to the residence, while the remaining Officers, with marked police vehicles, waited down the street. Standing in the driveway of the residence was a white male, later identified as Matthew David Swosinski. FPD Detective Scott approached Swosinski and asked for his identification. Swosinski refused to comply. Detective Scott conducted a pat down of Swosinski and discovered that Swosinski was concealing a handgun on his right side. Swosinski did not inform the police he had a firearm on him. The firearm was a Canik, model TP9SF Elite, serial number T6472-20BH05562, 9 mm handgun, and it was in a holster attached to Swosinski's belt loop.

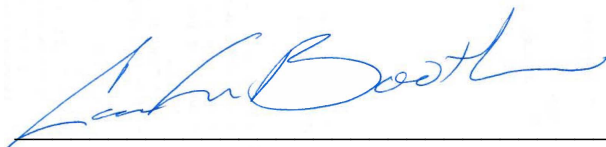
7. During the investigation, I conducted a computerized criminal history check of Matthew David Swosinski. The check showed that Swosinski had been convicted on June 3, 2013, in Genesee County Circuit Court of the following felony offenses punishable by a term of imprisonment exceeding one year: illegal firearms possession, controlled substance possession less than 25 grams, and felony firearms. On June 24, 2013, Swosinski was sentenced to two years in prison. Based on his custodial sentence, there is probable cause on November 30, 2020, Swosinski knew he had a prior felony conviction.

8. On August 31, 2021, I spoke with ATF Special Agent (SA) Dustin Hurt who is a Firearms Interstate Nexus trained Special Agent. From the information

provided and based on Special Agent Dustin Hurt's training and experience, the above described Canik 9 mm handgun was manufactured outside of the state of Michigan, and therefore traveled in or affected interstate or foreign commerce before Swosinski possessed it.

***Conclusion***

9. Based upon the facts stated above, there is probable cause to believe that on November 30, 2020, in the Eastern District of Michigan, Matthew David Swosinski, knowing that he had been convicted of a felony offense punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm in violation of 18 U.S.C. § 922(g)(1).



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Candace Booth  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means on this 31<sup>st</sup> day of August, 2021.



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Hon, Curtis Ivy, Jr.  
United States Magistrate Judge